

REMARKS**Status of Claims**

Upon entry of this amendment, claims 1-18 and 20-42 will remain pending, claims 1, 2, 6, 7, 9, 12, 15, 16, and 38 being independent.

Claims 1-18, 20-30, 37, 38, and 42 (which include all independent claims) encompass the elected invention (or depend from claims which encompass the elected invention), with reference to the restriction requirement set forth in the Office action of June 7, 2004.

Dependent claims 31-36 and 39-42 encompass the invention identified in the restriction requirement as "Group II, figures 1, 2a."

Claims 1-6, 13-18, and 20-27 currently stand allowed, based upon a previous Office action.

Background

In the Office action of September 23, 2003 (to which Applicant replied on March 11, 2004), claims 1-6, 13-18, and 20-27 had been allowed.

In that Office action, claims 7-12 and 28-30 had been rejected under 35 USC §102(b) as being anticipated by MYERS et al. (U.S. Patent No. 5,735,536, hereinafter "MYERS").

Following Applicant's reply, a restriction requirement was issued on June 7, 2004, whereby Applicant was required to elect one invention from among six alleged species.

Summary of the Instant Amendment

The amendment made above is believed to be effective to provide that each of the independent claims, including previously rejected independent claims 7, 9, and 12, to be encompassed by the elected invention.

That is, in each of independent claims 7, 9, and 12, Applicant has (1) *deleted* the limitation "said lateral and medial flanges comprising distinct parts of a multiple-part chassis of the in-line skate, said distinct parts having been assembled together"; and (2) *added* the limitation "each of said lateral and medial intermediate portions extending longitudinally other than in a single straight line."

Allowability of All Claims

By means of the amendment made to claims 7, 9, and 12, Applicant submits that these claims should be found allowable, for reasons set forth previously by Applicant. Further, Applicant requests that the dependent claims which might not be encompassed by the elected invention, be allowed in view of their dependency upon allowable parent claims.

SUMMARY AND CONCLUSION

By means of the amendment above, Applicant submits that the instant application has been placed in condition for allowance. Accordingly, reconsideration and allowance are respectfully requested.

A check is enclosed for payment of a claim fee and a fee for an extension of time. The Commissioner is authorized to charge any additional fee required for acceptance of this reply as timely and/or complete to Deposit Account No. 19-0089.

Any comments or questions concerning this application can be directed to the undersigned at the telephone number given below.

Respectfully submitted,
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June 30, 2004
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